

PETITION FOR SPECIAL EXCEPTION AND VARIANCES

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Service Garage and variances to Section 232.2.b to permit a side street setback of 6 ft. in lieu of the required 10 ft. and Section 232.3.b to permit a rear yard setback of 17 1/2 ft. in lieu of the required 20 ft.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: EDWARD D. CARDER
(Type or Print Name)
Signature: [Signature]
Address: HENRIETTA W. CARDER
(Type or Print Name)
Signature: [Signature]
City and State: Dundalk, Md. 21222
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Dundalk, Md. 21222
City and State: SAME AS ABOVE
Name: HOME 1, 3162 Baybriar Rd. (288-6359)
Address: Dundalk
City and State: Md.
Phone No.:
Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of September, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of November, 1986, at 9:45 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

IN RE: PETITION SPECIAL EXCEPTION AND VARIANCES
SE/corner of Willow Spring Road and Patapsco Avenue - 12th Election District
Edward D. Carder, et ux,
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-179-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special exception for a service garage and, additionally, variances to permit a side street setback of 6 feet in lieu of the required 10 feet and a rear yard setback of 17 1/2 feet in lieu of the required 20 feet, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. Darrell Cook, John Sexton, Maurice Hedges, and others appeared, not necessarily in protest but in order to express their concerns.

Testimony indicated that the subject property, zoned B.L. and located on the corner of Patapsco Avenue and Willow Spring Road, is improved with a 44' x 28' structure presently used as an upholstery business which is run by the Petitioners' son. The existing building has room for only one car and the equipment needed for the business. As a result, vehicles must be stored outside. In order to clean up the exterior of the property, the Petitioners are proposing to construct two buildings in two stages, i.e., a 48' x 20' building to the rear of the existing building and a 50' x 28' building to the side, toward Patapsco Avenue. The former building would provide two additional bays, the latter would provide a storage area which would relieve the existing building of the machines and provide another bay. There would be no expansion of the work done, i.e., no mechanical work, body and fender work, painting, etc. Only upholstery repair on vehicles and boats would be done.

streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the BCZR.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section

- 3 -

- The property shall be maintained and supervised in an orderly manner to ensure compliance with these restrictions.

[Signature]
Zoning Commissioner of Baltimore County

AJ/srl
cc: Mr. & Mrs. Edward D. Carder
Mr. Darrell Cook
Mr. John Sexton
People's Counsel

ORDER RECEIVED FOR FILING
Date November 9, 1986
By John P. Savage

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CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 Oct. 16, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #81381 - Reg. #L 95767 - Case #87-179-XA - 67 lines @ \$26.80. was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~six~~ weeks before the 17th day of October 1986; that is to say, the same was inserted in the issues of Oct. 16, 1986

Kimbel Publication, Inc.

per Publisher.

By K.C. O'Neil

The community is concerned about the debris and the existence of another business on the site. Mr. Hedges, President of the St. Helens Improvement Association, expressed concern about the hours and days of operation and relayed the concern of many neighbors that the property be appropriately screened.

The Petitioners seek relief from Section 230.13, pursuant to Section 502.1, Baltimore County Zoning Regulations (BCZR), and from Sections 232.2.b and 232.3.b, pursuant to Section 307, BCZR.

It is clear that the BCZR permits the use requested by the Petitioners in a B.L. Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated in Section 502.1 are satisfied by the Petitioners.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioners' Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads,

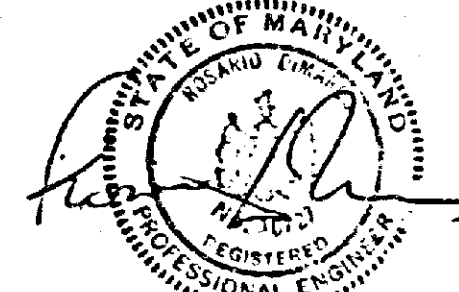
- 2 -

502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception and variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of November, 1986, that the Petition for Special Exception for a service garage and, additionally, the Petition for Zoning Variances to permit a side street setback of 6 feet in lieu of the required 10 feet and a rear yard setback of 17 1/2 feet in lieu of the required 20 feet be and are hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are condition precedent to the relief granted herein:

- Compliance with the Baltimore County Landscape Manual.
- The concerns of the Department of Traffic Engineering shall be satisfied.
- No mechanical work, body and fender work, or painting shall be performed. The operation shall be limited solely to upholstery repair of vehicles and boats.
- The hours of operation shall be from 9:00 a.m. to 6:00 p.m., six days per week, excluding Sundays.
- No junk or damaged vehicles may be kept overnight outside. Any damaged or disabled vehicles must be placed inside overnight.
- No customer vehicles shall be parked off site.
- No other business shall be permitted on the site.
- The Petitioners shall cooperate with the Dundalk Historical Society to ensure compliance with the nature of the community.
- All debris, storage container and shed, damaged or disabled vehicles, and boats must be removed within 30 days from the date of this Order and the property maintained free of such.

DESCRIPTION OF THE CARDER PROPERTY
Beginning at the corner formed by the intersection of Willow Spring Road (70 feet wide) with the South side of Patapsco Avenue (50 feet wide) and running thence along the South side of Patapsco Avenue N 85° 27' E 121.48 feet to an iron pipe; thence leaving said South side of Patapsco Avenue and running S 4° 33' E 97.44 feet; thence S 85° 27' W 20.80 feet to an iron pipe; thence S 4° 33' E 33.56 feet to a cross cut; thence S 85° 27' W 100.68 feet to the East side of Willow Spring Road and thence along the East side of Willow Spring Road N 4° 33' W 131.00 feet to the point of beginning, and containing 0.35 acres more or less.



OFFICE COPY

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PETITION FOR SPECIAL EXCEPTION AND VARIANCES

12th Election District

Case No. 87-179-XA

LOCATION: Southeast Corner of Willowspring Road and Patapsco Avenue

DATE AND TIME: Monday, November 3, 1986, at 9:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception and Variances for a service garage and to permit a side street setback of 6 feet in lieu of the required 10 feet and a rear yard setback of 17.5 feet in lieu of the required 20 feet

Being the property of Edward D. Carder, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

October 28, 1986

Mr. Edward D. Carder
Mrs. Henrietta W. Carder
3169 Baybriar Road
Dundalk, Maryland 21222

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCES
SE/cor. of Willowspring Rd. and Patapsco Ave.
12th Election District
Edward D. Carder, et ux - Petitioners
Case No. 87-179-XA

Dear Mr. and Mrs. Carder:

This is to advise you that \$24.30 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property until the time it is placed by self.

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025600

DATE: Nov. 3, 1986 ACCOUNT: 01-615

AMOUNT \$ 24.30

RECEIVED Dundalk Auto Seat & Trim, Inc.

FOR: Posting & Advertising Fee 87-179-XA

Edward D. Carder, et ux, Petitioners

VALIDATION OR SIGNATURE OF CASHIER

Mr. Edward D. Carder
Mrs. Henrietta W. Carder
3169 Baybriar Road
Dundalk, Maryland 21222

September 19, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCES
SE/cor. of Willowspring Rd. and Patapsco Ave.
12th Election District
Edward D. Carder, et ux - Petitioners
Case No. 87-179-XA

TIME: 9:45 a.m.

DATE: Monday, November 3, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 025879

DATE: 9/15/86 ACCOUNT: 01-615-000

AMOUNT \$ 200.00

RECEIVED FROM: Dundalk Auto Seat & Trim

FOR: SE + Var. # 74

8 0011*****20000:4 31.25

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: October 14, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: zoning Petition No. 87-179-XA

This office is opposed to the granting of the subject request. The plan submitted by the petitioner does not show sufficient curbing and shows no landscaping. In view of the size of the proposed additions, it is doubtful that a workable plan can be designed in compliance with the County standards.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:sib

CPS-008

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 9/19/86

Posted to: Special Exception & Variance

Petitioner: Edward D. Carder, et ux

Location of property: SE/cor. of Willowspring Rd. & Patapsco Ave.

Location of Sign: SE/cor. of Willowspring Rd. & Patapsco Ave.

Remarks:

Posted by: *[Signature]* Date of return: 9/26/86

Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 16, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 16, 1986.

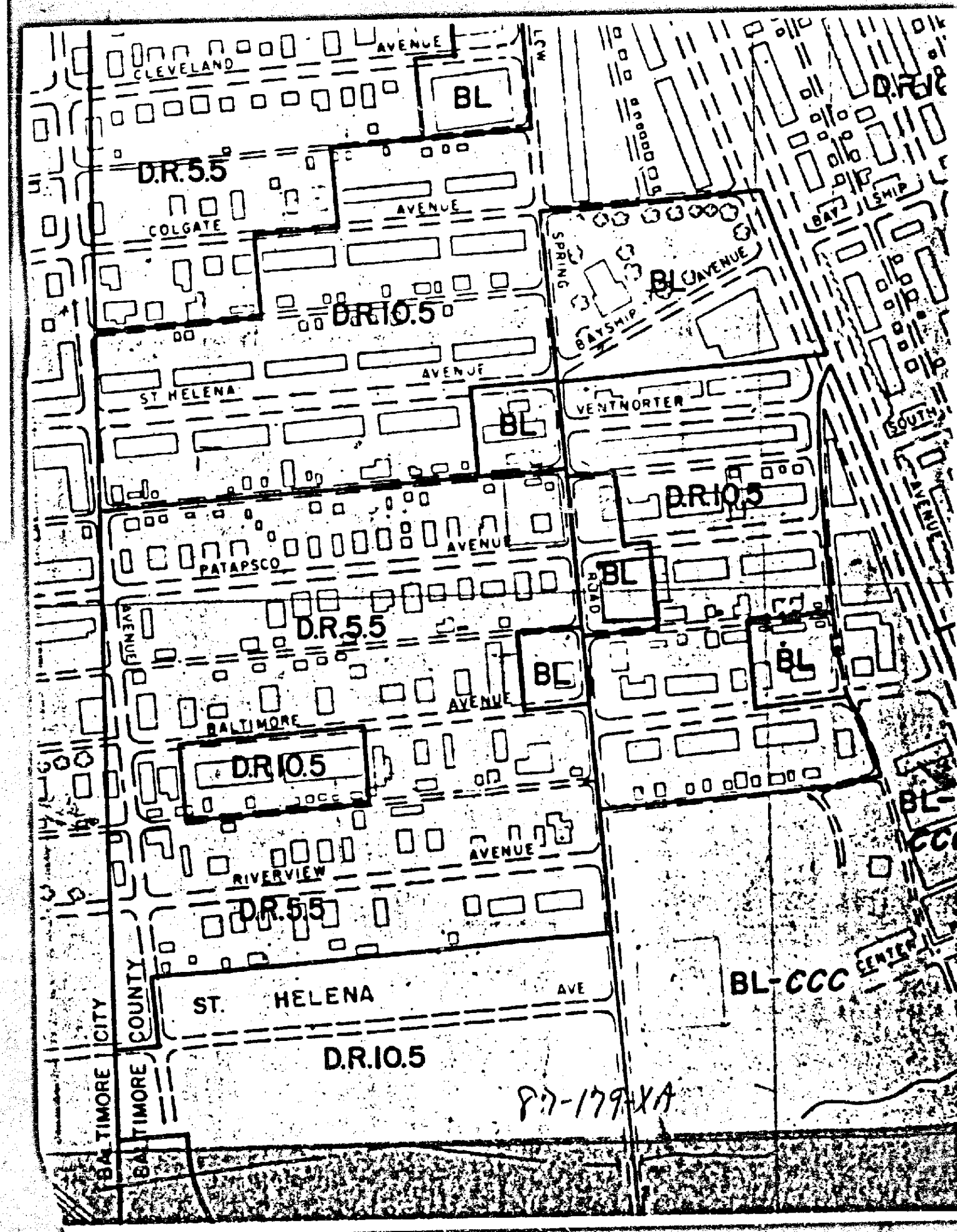
THE JEFFERSONIAN,

[Signature]
Publisher

Cost of Advertising

27.50

PETITION FOR SPECIAL EXCEPTION AND VARIANCES
12th Election District
Case No. 87-179-XA
LOCATION: Southeast Corner of Willowspring Road and Patapsco Avenue
DATE AND TIME: Monday, November 3, 1986, at 9:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Special Exception and Variances for a service garage and to permit a side street setback of 6 feet in lieu of the required 10 feet and a rear yard setback of 17.5 feet in lieu of the required 20 feet.
Being the property of Edward D. Carder, et ux, as shown on plat plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
10/18 Oct. 16



MAURICE H. HEDGES, PRES.
St. Helena Improvement Assn.
"Dedicated to the Community"
256 St. Helena Ave.
Dundalk, MD 21222

November 2, 1986

To Whom It May Concern:

We the occupants of 120 and 122 Patapsco Avenue oppose the expansion of Dundalk Auto Seat and Trim to the sidewalk of Patapsco and Willowspring Avenue. By expanding it will increase the already heavily traveled street, which will be a hazard to our children.

We also feel there will be inadequate parking due to the cars left by customers, the greater noise level, extra dust and fumes. We feel it should be zoned to be limited to seat and trim work only.

Mr. + Mrs. Robert Winbauer
122 Patapsco Avenue
7411 Mo Blvd. N.
120 Patapsco Ave

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES
SE/Corner of Willowspring Rd. & : OF BALTIMORE COUNTY
Patapsco Ave., 12th District
EDWARD D. CARDER, et ux, : Case No. 87-179-XA
Petitioners :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 29th day of September, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Edward D. Carder, 301 Willowspring Rd., Baltimore, MD 21222, Petitioners.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

SEPTEMBER 25, 1986

Re: Zoning Advisory Meeting of SEPTEMBER 2, 1986
Item # 74
Property Owner: EDWARD D. CORDER, et al
Location: SE/CORNER WILLOW SPRING RD.
& PATAPSCO AVENUE

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

(X) Additional comments:
SEC. 31.1.3 - LANDSCAPE MANUAL - "IN COMMERCIAL OFFICE & INDUSTRIAL ZONES, AN INCREASE OF 50% OR GREATER DENSITY FROM AREA SHALL REQUIRE THAT THE ENTIRE SITE CONFORM TO THE STANDARDS IN THIS MANUAL."

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 74, Zoning Advisory Committee Meeting of 9-2-86
Property Owner: Edward D. Corder, et ux
Location: SE/CORNER Willow Spring Rd & Patapsco District 12
Water Supply: nitro Sewage Disposal: nitro

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- (X) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

PAUL H. REINCKE
CHIEF

September 3, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Edward D. Corder, et ux

Location: SE/Corner Willow Spring Road and Patapsco Avenue

Item No.: 74

Zoning Agenda Meeting of 9/2/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at
- EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] 9-3-86
Planning Group
Special Inspection Division

Noted and Approved: [Signature] 9-3-86
Fire Prevention Bureau

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James Dyer Date: August 20, 1986
FROM: James Thompson
Item No. 74
SUBJECT: Petitioner - Corder

Please be advised that the above subject petition is an active violation case, 86-265-CV.

When this matter is scheduled for a hearing please notify:

Mr. Henry Stemler
123 Patapsco Avenue
Baltimore, Maryland 21222

St. Helena Improvement Association
210 Maple Avenue
Baltimore, Maryland 21222

JT/ls

CPS-008

STEPHEN E. COLLINS
DIRECTOR

October 3, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 74 -ZAC- Meeting of September 2, 1986
Property Owner: Edward D. Corder, et ux
Location: SE/Corner Willow Spring Road and Patapsco Avenue
Existing Zoning: B.L.
Proposed Zoning: Special Exception for a service garage
Variance to permit a side street setback of 6 feet in lieu of the required 10 feet and to permit a rear yard setback of 17.5 feet in lieu of the required 20 feet
Area: 35 acres
District: 12th Election District

Dear Mr. Jablon:

The site plan should be revised to show a standard commercial entrance.

Very truly yours,

[Signature]
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

87-179-KA
10-31-86

Zoning Item # 74 Zoning Advisory Committee Meeting of 9-2-86
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- (X) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
 - () The results are valid until
 - () Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - () shall be valid until
 - () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.
- () Others

[Signature]
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

TED ZALESKI, JR.
DIRECTOR

September 9, 1986

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
Dear Mr. Jablon:

Comments on Item # 74 Zoning Advisory Committee Meeting are as follows:

Property Owner: Edward D. Corder, et ux
Locations: SE/Corner Willow Spring Road and Patapsco Avenue
District: 12th.

APPLICABLE ITEMS ARE CIRCLED:

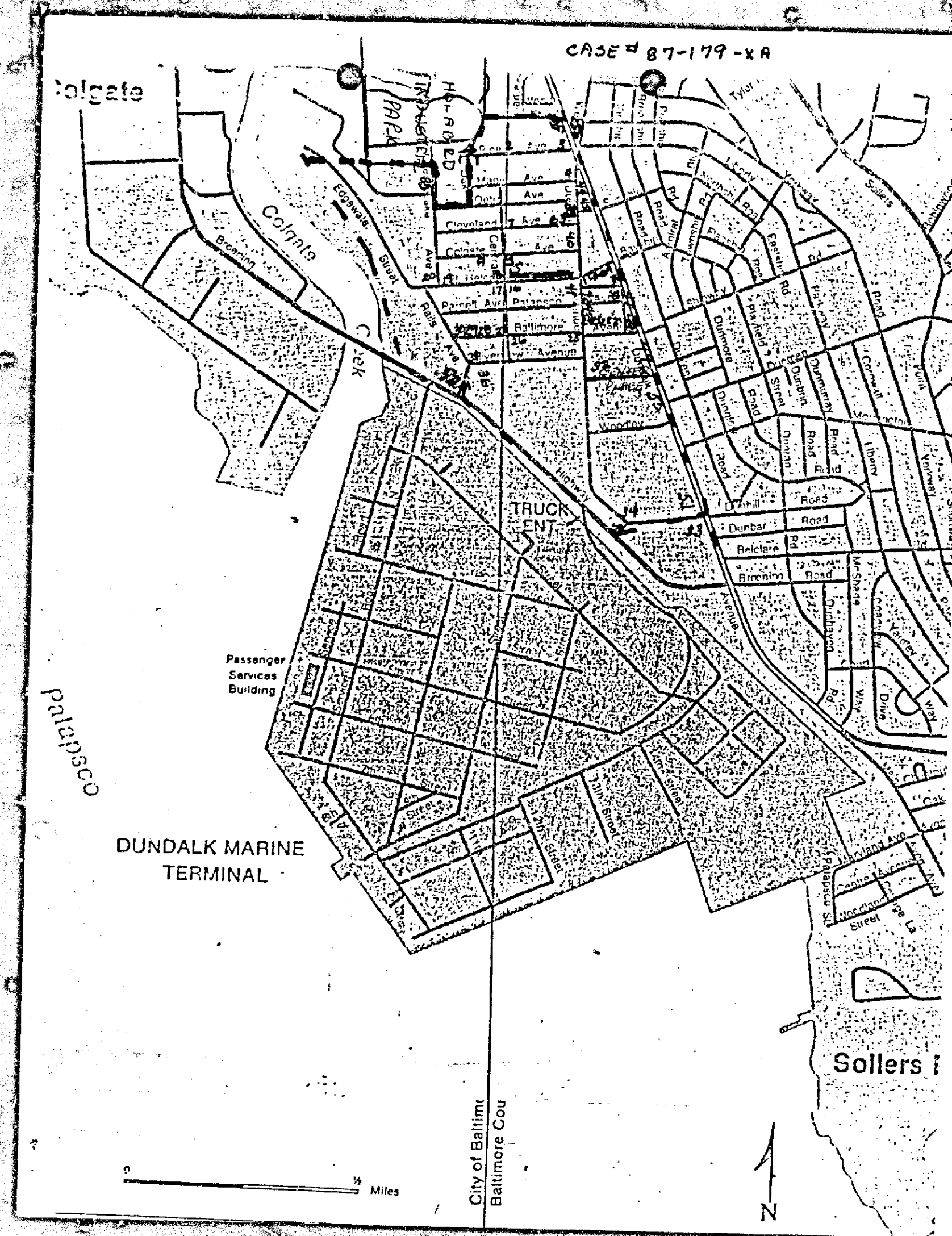
- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #17-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- (C) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- (D) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not acceptable.
- (E) All Use Groups except B-4 Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 4'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 403, Section 403.1, Section 403.2 and Table 403.2. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- (F) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- (G) The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- (H) When filing for a required Change of the Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Group is from Use _____ to Use _____ or to Mixed Uses _____. See Section 312 of the Building Code.
- (I) The proposed project appears to be located in a Flood Plain, Flood Hazard, Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (J) Comments: Provide handicapped parking, signs, curb cuts, building access and usability as per State of Maryland Regulation .05.01.07 (Handicapped Code). Garages shall comply to Section 609.0.
- (K) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 V. Chesapeake Avenue, Towson, Maryland 21204.

U/22/86

CASE # 87-179-KA LEGEND

- 1. SINGLE ASTERISK EQUALS BUSINESSES THAT MUST DRAW PEOPLE INTO THE NEIGHBORHOOD
- 2. DOUBLE ASTERISK EQUALS BUSINESSES THAT MUST DRAW PEOPLE INTO THE NEIGHBORHOOD AND ALSO
- 3. RED ARROW EQUALS ACCESS FROM MARINE TERMINAL (MAP)
- 4. BLUE ARROW EQUALS ACCESS FROM HOLIDAY INDUSTRIAL PARK

[Signature]
EXHIBIT 2



- (2)
- BALTIMORE AVENUE
- * 21. WAS OR IS DUNDALK REALTY
 - * 22. WAS CRIS BEAUTY PARLOR
 - * 23. ACHUA CLUB
 - * 24. ZONED FOR THRIFT SHOP
 - * 25. ODD FELLOWS HALL
 - * 26. WAS GROCERIES BAR (ZONING?)
 - * 27. POLISH FALCON HALL (HALL FOR RENT)
 - * 28. FOUST FLOOR COVERING
 - * 29. LOUIS BARBIERI & SONS CONSTRUCTION CO
 - * 30. DIDELLO ROOFING CO

- RIVERVIEW AVENUE
- * 31. AIRPORT GRILL (BAR + RESTAURANT)
- CENTER PLACE
- * 32. GRAFF'S GARAGE
- DUNHILL ROAD
- * 33. AMERICAN LEGION HALL
 - * 34. CROWN FORT SERVICES (IMPORT CAR STORAGE)
- CHESAFARE AVE
- * 35. TECHALLOY (MANUFACTURE WIRE PRODUCTS)

- RAILS AVENUE
- * 36. TRUCKING CO.
- LENTAL AVENUE
- * 37. DUNDALK (BAR)

- (4)
- DUNDALK AVENUE CONT.
- * 49 (CONT.) DUNDALK LIQUORS
 - * ADVANCE AUDIO
 - * J.L. INCOME TAX
 - * COUNTY COURT HOUSE
 - * 50 DUNDALK ALUMINUM
 - * KANSAS CITY INSURANCE
 - * DUNDALK SUPPLY
 - * DUNDALK PROFESSIONAL CENTER
 - * 51. PRE DELIVERY SERVICE CORP.

- MISCELLANEOUS
- 52. PAINT FACTORY (GLIDDEN)
 - 53. FULL SERVICE GAS STATION
 - 54. FULL SERVICE GAS STATION

CASE # 87-179-XA

ST HELENA IS A SMALL COMMUNITY WITH FAR TOO MANY BUSINESSES ALREADY. THE LIST ACCOMPANYING THIS WILL GIVE YOU AN IDEA OF HOW INUNDATED THIS NEIGHBORHOOD IS. ON TOP OF ALL THE BUSINESSES IN THE NEIGHBORHOOD, IT IS SURROUNDED BY THE DUNDALK MARINE TERMINAL AND THE HOLLAIRD INDUSTRIAL PARK, ALL OF WHICH HAVE AN ADVERSE EFFECT ON A RESIDENTIAL AREA.

WHILE THE NEIGHBORHOOD IS FAR LESS THAN ONE SQUARE MILE, THERE IS A STAGGERING NUMBER OF BUSINESSES, MOST OF WHICH WERE CREATED WHEN THERE WERE NO LAWS TO CONTROL THEM. MOST OF THESE WERE MA AND PA BUSINESSES WHICH WERE OWNED AND OPERATED BY NEIGHBORHOOD PEOPLE WHO CARED ABOUT THE COMMUNITY.

BECAUSE IT WAS BUILT AS A RESIDENTIAL NEIGHBORHOOD THE ROADS ARE NARROW. A SAMPLE LIST IS ENCLOSED FROM A RECENT REPAVING JOB UNDER THE M.I.P. PROGRAM. THE BUSINESS IN QUESTION IS LOCATED ON WILLOW SPRING ROAD WHICH IS 24'

- (3)
- WEST DUNDALK AVENUE
- * 38. WAS J.R.'S LEATHER SHOP (ZONING?)
- WILLOW SPRING ROAD
- * 39. SAM AND LARRY'S BARBER SHOP
 - * 40. WOOLFORD'S GARAGE
 - * A-1 TOWING
 - * 41. T.J.'S BAR
 - * 42. CREATIVE WOODWORKING
 - * SARAH'S UNISEX BEAUTY SALON
 - * 43. DUNDALK AUTO SEAT AND TRIM CARDEA

- DUNDALK AVENUE
- * 44. BAB AUTO GLASS
 - * 45. MCDONALD'S
 - * 46. GOOD WILL
 - * 47. ATLAS APPLIANCE
 - * GEORGE'S HAIR CUTTING
 - * OLD DUNDALK COIN SHOP
 - * DESIGNS FOR HAIR
 - * FRENCH'S TRAINS AND HOBBY SHOP (ROSEMENT IS ALSO COMMERCIAL)
 - * 48. CAPTAIN PHILLIPS (BAR AND RESTAURANT)
 - * DUNDALK LAUNDRY
 - * DUNDALK HARDWARE
 - * VOLUNTEERS OF AMERICA THRIFT SHOP
 - * DUNDALK FARM MARKET (VEGETABLE STANDS)
 - * 49. TURK'S CLEANERS
 - * AVARA'S ACADEMY OF HAIR
 - * RUNNING OUT BILLIARDS
 - * DAVID'S JEWELERS
 - * VIKOJ'S CUT AND CUEL
 - * PALMAD BOWLING ALLEY

CASE # 87-179-XA

PRELIMINARY SMOOTH SEAL
1982 - 1983
District 12

Road No.	Road Name	From	To	Length In Ft.	Width In Ft.	Area Sq. Yds.
5220	Willow Spring Rd.	Dundalk Ave.	10 N. Woodley Rd.	2,600	24	6,900
5226	Colgate Ave.	Willow Spring Rd.	15 W. Willow Spring Rd.	800	24	2,400
5230	Baltimore Ave.	Willow Spring Rd.	Willow Spring Rd.	600	24	1,400
5231	St. Helena Ave.	Dundalk Ave.	Willow Spring Rd.	500	36	2,000
5237	St. Helena Ave.	Willow Spring Rd.	Central Ave.	800	24	2,100
5228	Palapasco Ave.	Dundalk Ave.	Dundalk Ave.	1,400	24	3,700
			Total			19,800

(2)

WIDE WITH PARKING ON ONE SIDE. IF CARS ARE LEGALLY PARKED ONE DIRECTION OF TRAFFIC USUALLY HAS TO WAIT WHILE THE OTHER DIRECTION MOVES AROUND THE PARKED CARS.

THE TRAFFIC PROBLEM IS A VERY REAL ONE. BEING LARGELY TOWNHOUSES, THE RESIDENTIAL TRAFFIC IS EXTREMELY HEAVY AT TIMES. BUT WHEN YOU ADD THE TRAFFIC THAT LOCAL BUSINESSES DEAN AND THE FLOW TO AND FROM THE MARINE TERMINAL THROUGH THE NEIGHBORHOOD IT SOMETIMES BECOMES UNBELIEVABLE. IN FACT, I HAVE BEEN TOLD BY SOME OF THE BALTIMORE GAS AND ELECTRIC CO. CREWS THAT THE VOLUME AND SIZE OF THE TRAFFIC IS A MAJOR FACTOR IN WHY THEY NEED TO REPAIR THEIR UNDERGROUND EQUIPMENT IN FRONT OF MY HOUSE.

OF COURSE THE NATURE OF THE NEIGHBORHOOD, TOWNHOUSES, PUTS PARKING AT A PREMIUM WHICH RESIDENTS MUST SHARE WITH THE BUSINESSES. MOST OF THE TIME THE PARKING AREA OF THE PROPERTY IN QUESTION

IS FILLED AND ANY ADDITION TO THE EXISTING
BUILDING WOULD FURTHER DECREASE HIS AVAILABLE
PARKING AREA. THIS BUILDING WOULD ALSO EFFECT
HIS STORAGE LOT ON THIS SAME PROPERTY. THE OVERFLOW
THIS BUILDING WOULD CAUSE WOULD BE UNFAIR AND
UNJUST TO THE RESIDENTS.

A PORTION OF ST. HELENA IS ALSO WITHIN THE DUNDALK NATIONAL HISTORIC DISTRICT. THE PROPERTY IN QUESTION ALSO FALLS WITHIN THAT DISTRICT AND I FEEL THAT SUCH AN EXTENSION TO THE EXISTING PROPERTY WOULD HAVE AN ADVERSE EFFECT IN APPEARANCE THAT IS SOUGHT.

THE PROPRIETOR IS LIKE MANY WHO HAVE BOUGHT FROM RESIDENT BUSINESS PEOPLE AND THAT IS HE HAS LITTLE OR NO CONCERN FOR THE NEIGHBORHOOD. HE ALLOWED AN OFFICE TRAILER TO BE PLACED ON HIS PROPERTY WHICH WAS AN EYESORE BUT ALSO ALLOWED ANOTHER COMPANY, CORDER, TO ALSO OPERATE FROM THIS PROPERTY. WHILE THE TRAILER HAS BEEN REMOVED

General guidelines for these commercial establishments include: • Screening of parking lot surroundings. Screening of parking areas behind parking of shanties in the street would usually improve the appearance of the street. The introduction of awnings or other residential scaled elements to the parking station look of these shops is also recommended.

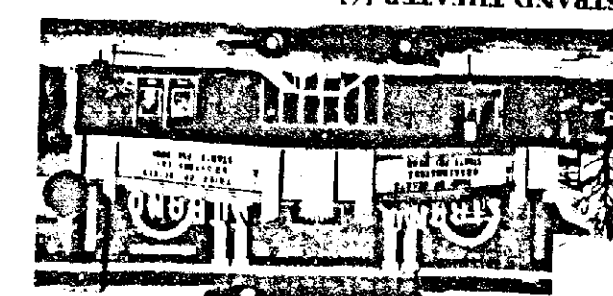
Willow Spring Avenue



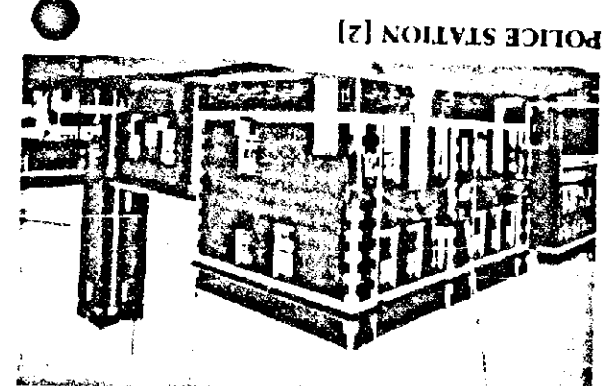
Dundalk Village Design Study

CASE # 87-179-XA

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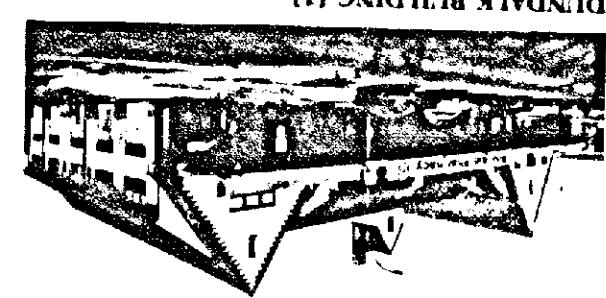


Behind the police station is [3] the BATHS BUILDING. This small office building, constructed in 1935, is one of several commercial and office buildings built in Dundalk during the late 1930's and 1940's.



fire departments, with the tower at the rear of the building originally used to hang fire hoses.

11] DUNDALK BUILDING



standing at the corner of Center Place and Shopping Place, you are at the heart of Portland Shopping Center, but not in the ECC's original plan. As the commercial core of the community, The oldest commercial building and the only one constructed by the ECC is [1] the EDWARDS BUILDING. Designed by architect Edward L. Palmer in 1919, it is one of the state's earliest shopping center buildings. Palmer worked extensively in Roland Park, and his design for this building was probably inspired by the Roland Park Shopping Center, considered the oldest shopping center in the nation.



HISTORY OF THE AREA

Walking Tour of the DUNDALK NATIONAL HISTORIC DISTRICT

CASE # 87-179-XA

1918. Unlike the curving streets of Dundalk's "Garden City" plan, the street is straight with an uninterrupted view. This difference is due to the fact that other portions of St. Helena were developed as early as the 1890's. Thus, the traditional grid-iron street pattern was already in place when the EFC arrived.

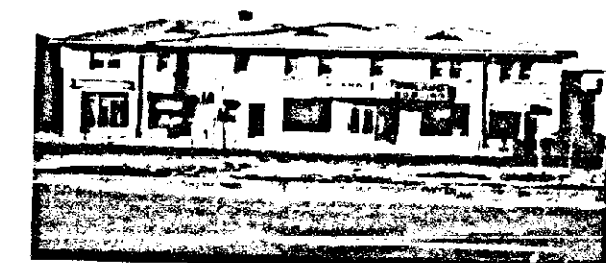
Proceed down Willow Spring Road and turn left onto [22] PATASCO AVENUE. Here are more examples of EFC houses. While resembling the houses in Dundalk, these houses are smaller and less varied in design. This is because they were originally designed to house bachelor shipyard workers rather than families. These houses were known as "convertible houses," and did not have kitchens, but were designed for later conversion. To feed the men occupying the buildings, a mess hall (no longer standing) was built nearby.



Turn right on Dundalk Avenue. [23 & 24]
24-30 AND 20-22 DUNDALK AVENUE are two of
several commercial buildings which were
constructed along Dundalk Avenue as St. Helena
and Dundalk expanded in the late 1930's and
1940's. The patterned brickwork of #24-30 and the
rounded corner of #20-22 are typical features of
the Art Deco style.

A much older building is [25] 10 DUNDALK AVENUE. Built in 1920, this building is one of the oldest non-residential buildings in the immediate

area. Originally, the building housed a garage and car dealership.



10 DUNDALK AVENUE [25]

By crossing Dundalk Avenue you return to the Dundalk Shopping Center. The historic area you have been visiting is part of the Dundalk Historic District, which is listed on the National Register of Historic Places. Portions of the area are also included in Baltimore County's Dundalk Commercial Revitalization District. If you would like more information on the history of Dundalk and St. Iheleu and on the current plans for commercial revitalization, please contact: Greater Dundalk Chamber of Commerce, 2438 Dumkirk Building, Dundalk, Maryland 21222. Telephone: 301-282-9100.

The Greater Dundalk Chamber of Commerce wishes to thank The Register Group for providing the photographs, Drusilla Null for writing the text, and the Baltimore County Historical Trust, Inc., for their generous support of this project.

Walking Tour of the

DUNDALK NATIONAL HISTORIC DISTRICT

DUNDALK VILLAGE RENAISSANCE



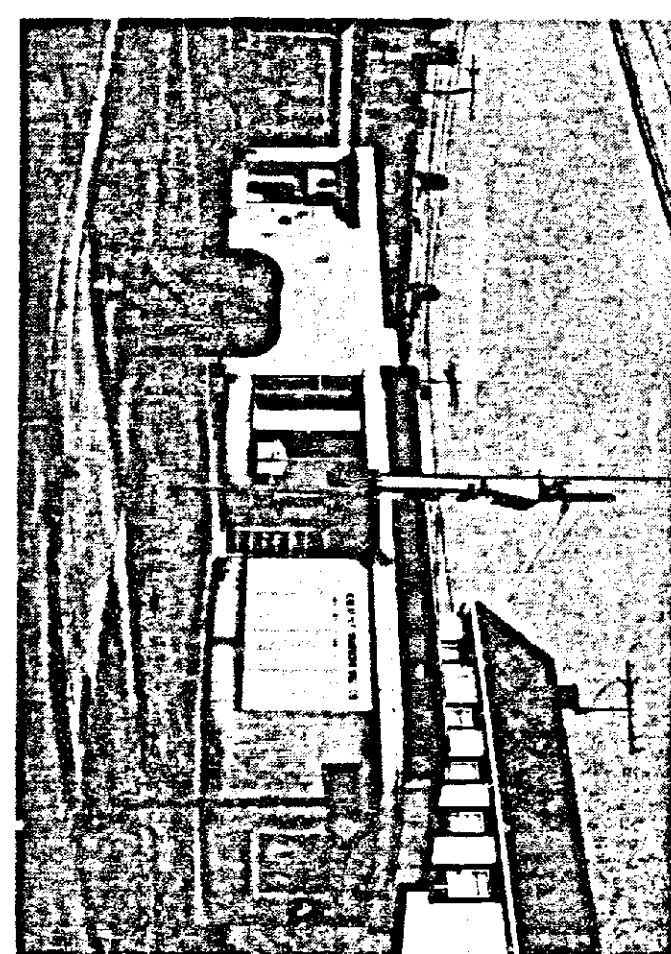
CARDER IS STILL USING THE PROPERTY FOR VARIOUS STORAGE OPERATIONS WHICH INCLUDE A ONE TON DUMP TRUCK HE AND SOME OF HIS FRIENDS SEEM TO ENJOY USING WILLOW SPRING ROAD AS A RACEWAY, WHILE I UNDERSTAND THAT HE CANNOT CONTROL HIS CUSTOMERS, THE MAJORITY OF THE TIME IT HAS BEEN THE SAME CARS AND MANY TIMES IT IS THE PROPRIETOR HIMSELF

IN CONCLUSION IF EITHER OF THESE VARIANCES ARE ALLOWED THEY WOULD HAVE A DETERMINENTAL EFFECT ON THE NEIGHBOURHOOD. THE VARIOUS PHYSICAL PROBLEMS OF THE NEIGHBOURHOOD COMBINED WITH, IN MY OPINION, THE INCOMPETENCE OF THE PROPRIETOR WOULD BE MAGNIFIED IF YOU ALLOW THESE VARIANCES

John I. Sexton
202 PATARSCO AVE
DUNDRAK MD. 21222

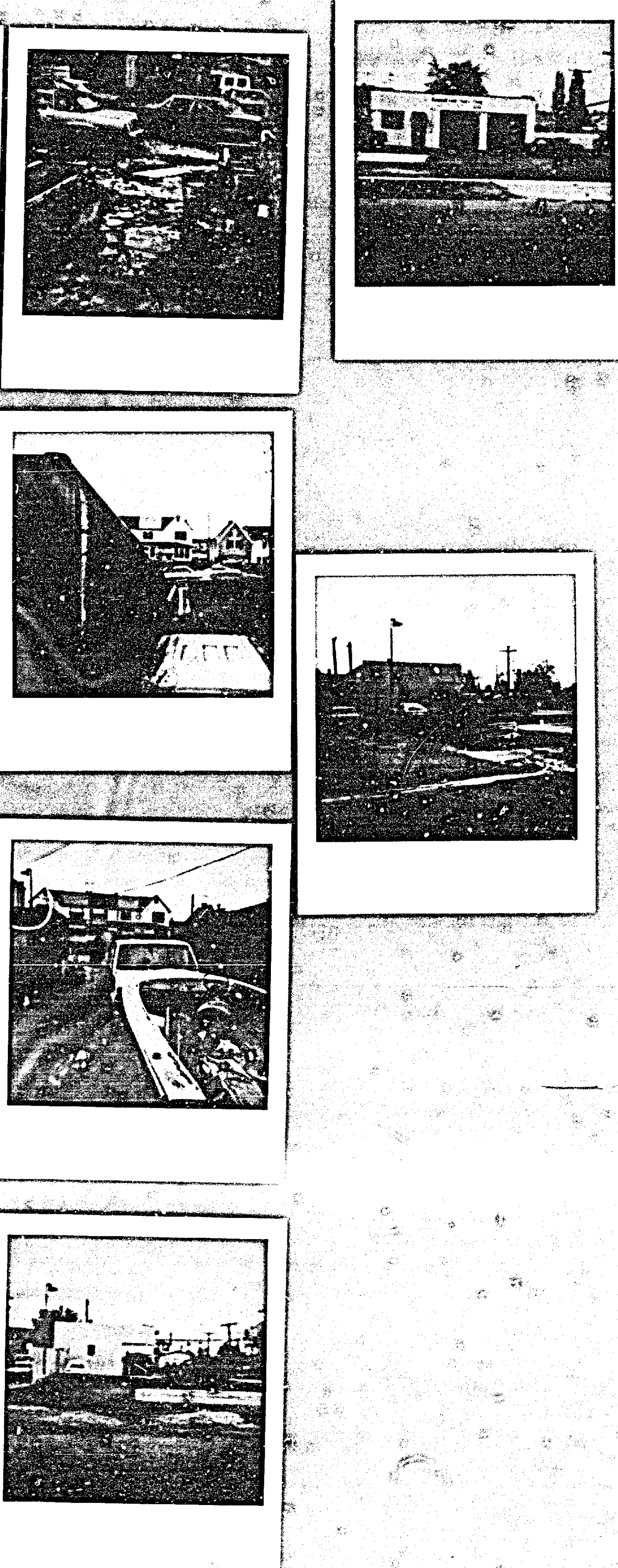
Creative Woodworking

Proposed

[illegible]

Dundalk Village Design Study

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Dundalk Eagle. The architectural style of the house is known as the Colonial Revival Style. Designs in this style incorporate features common to Colonial or Early American buildings. Typical features seen in the Reier House are the balanced facade, dormers, and columned porch.



REIER HOUSE [5]

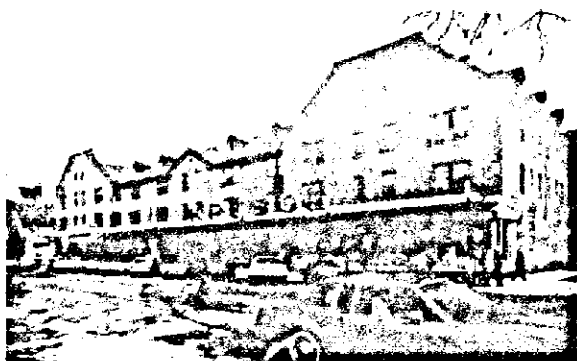
The Reier House faces [6] VETERAN'S PARK. This park was part of Dundalk's original plan and functions as a "village green." The prominent monument to Dundalk service veterans gives the park its name.

Located in the park is [7] the DUNDALK LIBRARY. The building was constructed in 1929 and originally served as offices for the Dundalk Company. Symbolizing that company, a letter "D" decorates the area just above the main entrance. The Dundalk Library is another good example of the Colonial Revival Style.



LIBRARY [7]

To the left as you proceed down Shipping Place are [8 & 9] the DUNLEER AND DUNKIRK BUILDINGS. Also designed in the Colonial Revival Style, these nearly identical buildings were constructed in 1929. They and the Dundalk building are the trio of large shopping center buildings which dominate the commercial area.



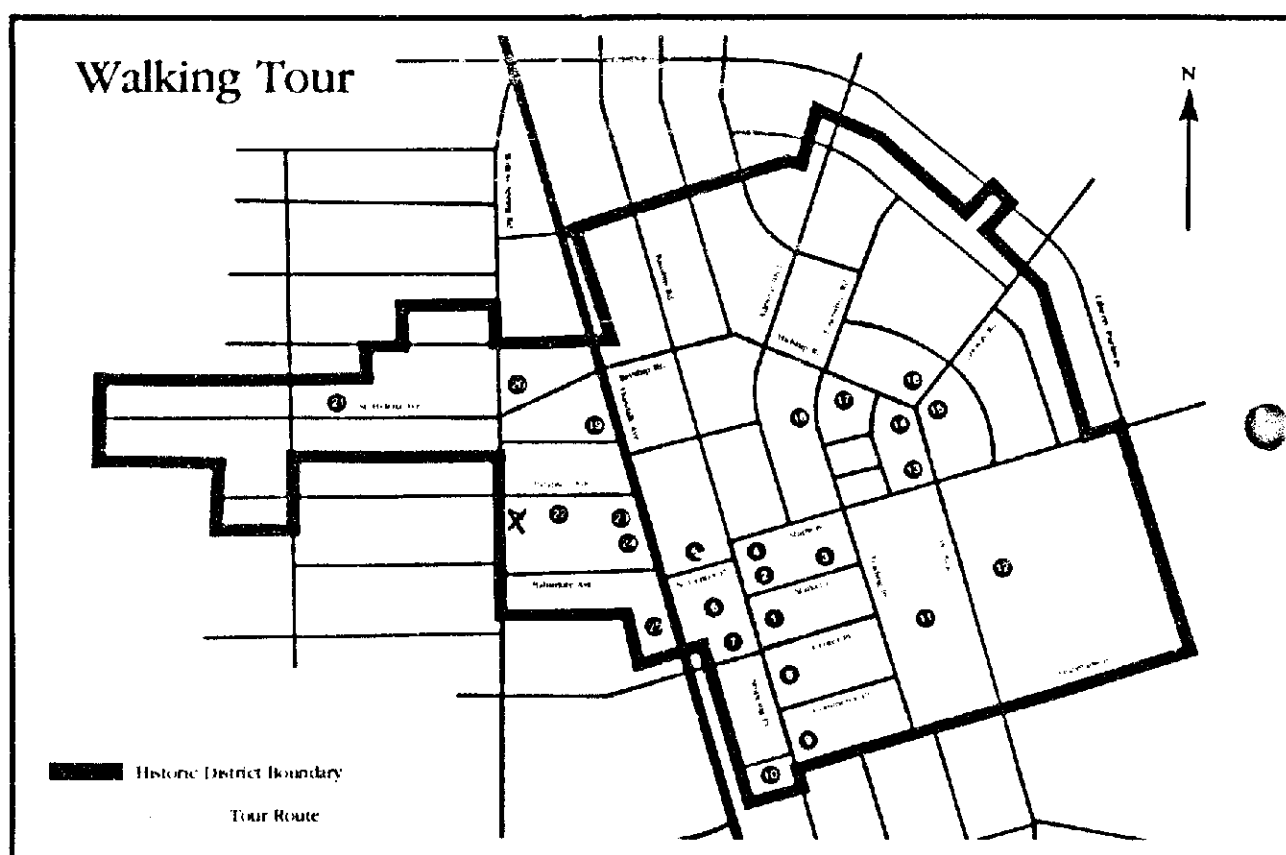
DUNLEER BUILDING [8]

Across from the Dunkirk Building is [10] ST. GEORGE'S AND ST. MATTHEW'S EPISCOPAL CHURCH, which was built in 1928. In contrast to nearby buildings, the architectural style of the church combines the Tudor Revival and Gothic Revival Styles. These styles borrow from medieval sources, and typical features seen here include the half-timbered porch and pointed-arch windows.

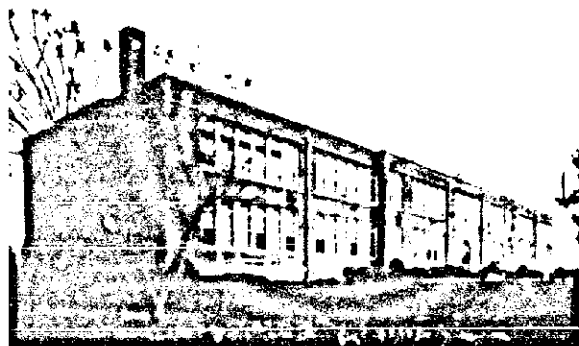


ST. GEORGE'S & ST. MATTHEW'S [10]

Proceed back down Shipping Place to Center Place. At the end of Center Place is [11] DUNDALK HERITAGE PARK. Like Veteran's Park, this park was an original feature of the Dundalk plan. The desire to include open space in a community is typical of "Garden City" planning.



Proceed through the park to [12] DUNDALK ELEMENTARY SCHOOL. The site of the school was included in the original Dundalk plan, although the building was not constructed until 1926. Later additions in 1930 and 1948 gave the school its present appearance.



DUNDALK ELEMENTARY SCHOOL [12]

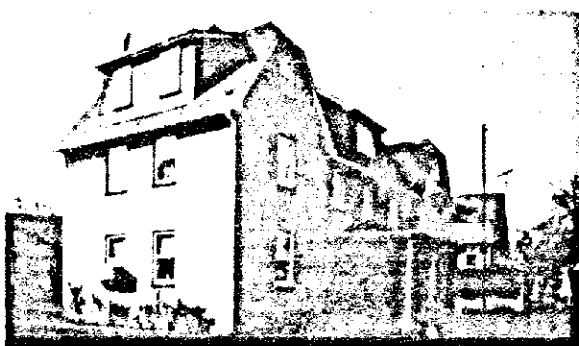
Turning down Playfield Street, you approach the residential area created by the EFC in 1918. [13] 50-60 SHIPWAY is typical of one of nine different house designs created by architect Edward L. Palmer for the Dundalk project.



50-60 SHIPWAY [13]

Characteristics shared by all of the houses include stucco exteriors and picturesque combinations of roof shapes.

In Dundalk, the EFC created 531 houses, but also constructed two boarding houses. [14 & 15] 1 & 2 FRIENDSHIP CIRCLE were originally designed to house unmarried shipyard workers. In later years, the buildings continued to serve as boarding houses or hotels and were known as the Marine Hotel and Dundalk Hotel.



1 FRIENDSHIP CIRCLE [14]

Just north of the boarding houses is a small pocket of houses which were not constructed by the EFC. These houses, which include [16] 4 LEEWAY ROAD, were built by the Dundalk

Company in 1926 on the site of a sand and gravel pit which had been used by the EFC.

Proceed down Midship Road. Most of the houses built by the EFC are either duplexes or rowhouses, but some are individual homes. [17] 15 MIDSHIP ROAD, with its distinctive, tall roof, is a good example of this type.

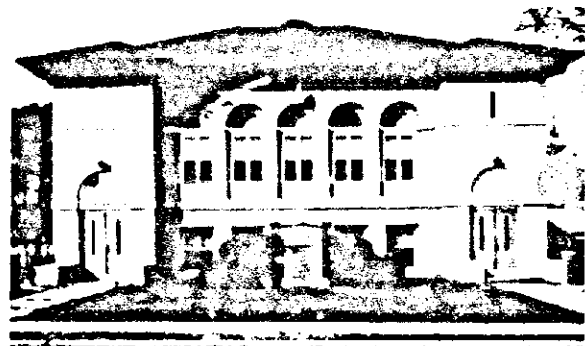


15 MIDSHIP [17]

At the corner of [18] TOWNSHIP ROAD look to the left up Township. The narrow, curving, picturesque street is typical of a "Garden City" development, in contrast to traditional, straight streets laid out in a grid-iron pattern.

Continuing down Midship and then Bayship Roads, you can see a variety of the Dundalk project's nine housing types. You leave the Dundalk EFC project at Dundalk Avenue, which separates Dundalk from adjacent St. Helena. Dundalk Avenue was once the route of the streetcars which transported local residents to their jobs at Bethlehem Steel. As you cross Dundalk Avenue look to the left to see [19] the LANE THEATRE, now owned by Goodwill Industries. The building was designed by John E. Fyring in 1940, fourteen years after he designed the nearby Str Theatre. The curving, streamlined design of the main facade is typical of the Art Deco Style, which emphasized sleek, geometric design.

On the right as you proceed up St. Helena Avenue is [20] the FIRST BAPTIST CHURCH. The oldest section of the church, with its stuccoed exterior, dates from 1920. Originally called the Community Church, its gymnasium, game room and stage made it a social as well as religious center during the early years of the community.



FIRST BAPTIST CHURCH [20]

At the corner of St. Helena Avenue and Willow Spring Road, stop and look ahead down [21] ST. HELENA AVENUE. The street is lined by some of the 296 houses in St. Helena designed by Edward L. Palmer and constructed by the EFC in